

2007 MAR 19 PM 10:20 AM (PACIFIC)

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

MICHAEL HIMEBAUGH,)
)
Plaintiff,)
) Civil No. 06-6041-TC
v.)
)
GUY HALL, et al.,)
)
Defendants.)
)

Magistrate Judge Thomas M. Coffin filed Findings and Recommendation on March 19, 2007, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiff has timely filed objections. I have, therefore, given de novo review of Magistrate Judge Coffin's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Coffin's Findings and Recommendation filed March 19, 2007, in its entirety. Defendants' un-enumerated 12B motion to dismiss (#18) is allowed. In addition, plaintiff's claims are denied and this action is dismissed for failure to prosecute. Plaintiff's un-enumerated 12B motion to dismiss (#20) is denied as moot.

IT IS SO ORDERED.

DATED this 16th day of April, 2007.

Michael C. Hegar
UNITED STATES DISTRICT JUDGE